

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KELLY GABEL,

No. C 13-05369 RS

Plaintiff,

**CASE MANAGEMENT
SCHEDULING ORDER**

v.

PERFORMANT RECOVERY, INC.; and
DOES 1–10, inclusive,

Defendants.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on March 6, 2014. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

MEDIATION: The parties are hereby REFERRED to the court's ADR department for the purpose of engaging in mediation to take place, ideally, within the next 90 days.

2. DISCOVERY.

On or before September 26, 2014, all non-expert discovery shall be completed by the parties. Discovery shall be limited as follows: (a) ten (10) non-expert depositions per party; (b) twenty-five (25) interrogatories per party, including all discrete subparts; (c) a reasonable

1 number of requests for production of documents or for inspection per party; and (d) a reasonable
2 number of requests for admission per party.

3 3. DISCOVERY DISPUTES.

4 Discovery disputes will be referred to a Magistrate Judge. After the parties have met and
5 conferred, the parties shall prepare a joint letter of not more than 8 pages explaining the dispute.
6 Up to 12 pages of attachments may be added. The joint letter must be electronically filed under
7 the Civil Events category of "Motions and Related Filings >Motions--General > Discovery
8 Letter Brief." The Magistrate Judge to whom the matter is assigned will advise the parties of
9 how that Judge intends to proceed. The Magistrate Judge may issue a ruling, order more formal
10 briefing, or set a telephone conference or a hearing. After a Magistrate Judge has been assigned,
11 all further discovery matters shall be filed pursuant to that Judge's procedures.

12 4. EXPERT WITNESSES. The disclosure and discovery of expert witnesses shall
13 proceed as follows:

14 A. On or before October 24, 2014, parties will designate experts in accordance with
15 Federal Rule of Civil Procedure 26(a)(2).

16 B. On or before November 28, 2014, parties will designate their supplemental and
17 rebuttal experts in accordance with Federal Rule of Civil Procedure 26(a)(2).

18 C. On or before December 26, 2014, all discovery of expert witnesses pursuant to
19 Federal Rule of Civil Procedure 26(b)(4) shall be completed.

20 5. FURTHER CASE MANAGEMENT CONFERENCE. A Further Case
21 Management Conference shall be held on **November 13, 2014 at 10:00 a.m.** in Courtroom 3,
22 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The
23 parties shall file a Joint Case Management Statement at least one week prior to the Conference.

24 6. PRETRIAL MOTIONS. All dispositive pretrial motions must be filed and served
25 pursuant to Civil Local Rule 7. Each party is limited to one motion for summary judgment
26 absent leave of Court. All pretrial motions shall be heard no later than January 29, 2015.
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1 7. PRETRIAL CONFERENCE. The final pretrial conference will be held on
2 **March 12, 2015 at 10:00 a.m.**, in Courtroom 3, 17th Floor, United States Courthouse, 450
3 Golden Gate Avenue, San Francisco, California. Each party or lead counsel who will try the
4 case shall attend personally.

5 8. TRIAL DATE. A jury trial shall commence on **March 23, 2015 at 9:00 a.m.**, in
6 Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco,
7 California.

8 IT IS SO ORDERED.

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10 DATED: March 6, 2014



RICHARD SEEBORG
United States District Judge